

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Niro Nakamichi et al.

Serial No.: 08/760,706

Filed: December 5, 1996

For: Disk Playback Device

Atty. Docket No.: 004076.73577

Group Art Unit: 2652

Examiner: Cao

Confirmation No.: 8830

Response to Second Order to Show Cause

Office Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby respond to the Order to Show Cause of April 13, 2007, regarding the expiration of U.S. Patent No. 5,123,001.

In response to the Dismissal of April 27, 2007, of Applicants' Petition to Accept Late Payment of Maintenance Fees for the parent patent, Applicants responded on June 27, 2007, with a renewed petition. The renewed petition set forth in greater detail the events that lead to the maintenance fee issue in the parent patent. The renewed petition was supported by attachments A-W. Based on information from the Petitions Office, the period for response to Applicants' renewed petition is between 2 and 4 months. Applicants expect a response from the Petitions Office shortly.

Since the previous response to the order to show good cause, Applicants are in the process of converting to new docketing software (Computer Packages Inc. from CPA) that docket the maintenance fees of the parent patent in the reissue. The effect is that the maintenance fees are docketed twice - one set of docketing due dates in the parent patent and a second set in the reissue. Accordingly, once converted to CPI, the undersigned understands that the firm's docketing system will automatically docket the maintenance fee in the reissue to ensure the maintenance fee is always paid in order to keep the reissue pending.

Finally, the undersigned, as head of the firm's Prosecution Policies and Procedures Committee has been working and will continue working with the head of the firm's docketing department to review all Reissue applications to ensure that 1) records for the parent patents are open and 2) that the maintenance fees are properly docketed in the records for the parent patents.

Accordingly, Applicants request this Reissue application be kept alive until the status of U.S. Patent No. 5,123,001 has been resolved.

If any fees are due, the Patent Office is authorized to debit our account 19-0733 in the appropriate amount.

Respectfully submitted,
BANNER & WITCOFF, LTD.

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Dated: October 13, 2007